

Exhibit E

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January 24, 2008

VIA E-MAIL

Elie Honig, Esq.
Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, N.Y. 10007

United States v. Louis Pipolo, et al./S1 07 Cr. 907 (SAS)

Dear Mr. Honig:

I write to follow up on my letter dated January 17, 2008, in the above matter. I seek hereby to ascertain whether there are any additional disclosures the government should make favorable to Mr. Pipolo.

I am now in receipt of the sworn statement of Robert J. Rosenberg relevant to the charges against Mr. Pipolo. As you know, Mr. Rosenberg confirms that Mr. Pipolo was not a participant in the events that Mr. Rosenberg says occurred that evening, and further, that no weapons were used, brandished, or present. To the extent other persons have made similar statements to you or other law enforcement authorities, or have made any other statements that are favorable to Mr. Pipolo. As I am sure you are aware, you are obligated to disclose such statements even if no written record of such statements exists. *See United States v. Rodriguez*, 496 F.3d 221, 225-26 (2d Cir. 2007); *United States v. Ferguson*, No. 3:06Cr137, 2008 WL 104078 (D. Conn. Jan. 4, 2008) at *1-2.

Thank you for your cooperation in this matter. I also note there were additional requests

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Page 2

made in the January 17 letter as to which there has been no response and I ask that you address those at your earliest convenience.

Very truly yours,



Sheryl E. Reich

cc: Benjamin Gruenstein, Esq.
Assistant United States Attorney